

**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

CLIFFORD POLLARD TURNER,

Plaintiff,

v.

JEWISH, *et al.*,

Defendants.

Case No. 1:23-cv-00287-BAM (PC)

ORDER STRIKING UNSIGNED COMPLAINT  
AND REQUIRING PLAINTIFF TO FILE A  
SIGNED COMPLAINT  
(ECF No. 1)

ORDER DENYING *IN FORMA PAUPERIS*  
APPLICATION WITHOUT PREJUDICE  
(ECF No. 2)

ORDER TO SUBMIT PRISONER APPLICATION  
TO PROCEED *IN FORMA PAUPERIS* OR PAY  
FILING FEE

**THIRTY (30) DAY DEADLINE**

Plaintiff Clifford Pollard Turner ("Plaintiff") is a Texas state prisoner proceeding *pro se* in this civil rights action under 42 U.S.C. § 1983. Plaintiff initiated this action on February 27, 2023, together with a motion to proceed *in forma pauperis*. (ECF Nos. 1, 2.)

First, Plaintiff's application to proceed *in forma pauperis* is incomplete. Plaintiff has failed to submit a certified copy of his trust account statement and did not have an authorized officer from his institution of incarceration complete the certificate portion of the form. Plaintiff must appropriately complete the form and submit a certified copy of his trust account statement if he wishes for the application to be considered.

Second, the Court is required to screen complaints brought by prisoners seeking relief against a governmental entity and/or against an officer or employee of a governmental entity. 28 U.S.C. § 1915A(a). In preparing to screen the complaint, the Court noted that the signature page

of the complaint is missing, and therefore Plaintiff's complaint lacks any signature. Both the Federal Rules of Civil Procedure and this Court's Local Rules require that all filed pleadings, motions and papers be signed by at least one attorney of record or by the party personally if the party is unrepresented. Fed. R. Civ. P. 11(a); Local Rule 131(b). As Plaintiff's complaint is unsigned, the Court must strike it from the record. Plaintiff will be permitted **thirty (30) days** to file a signed complaint that complies with Federal Rules of Civil Procedure and the Local Rules.

Based on the foregoing, it is HEREBY ORDERED that:

1. Plaintiff's motion to proceed *in forma pauperis*, (ECF No. 2), is DENIED, without prejudice;
2. The Clerk of the Court is directed to serve this order and a blank *in forma pauperis* application for a prisoner on Plaintiff;
3. Within **thirty (30) days** from the date of service of this order, Plaintiff SHALL file the attached application to proceed *in forma pauperis*, completed and signed, including a certified copy of his trust account statement for the past six months, or in the alternative, pay the \$402.00 filing fee for this action;
4. Plaintiff's complaint, filed February 27, 2023, (ECF No. 1), is STRICKEN from the record for lack of signature;
5. The Clerk of the Court is directed to send to Plaintiff a civil rights complaint form;
6. Within **thirty (30) days** from the date of service of this order, Plaintiff SHALL file a signed complaint or a notice of voluntary dismissal; and
7. **Plaintiff is warned that the failure to comply with this order will result in dismissal of this action, without prejudice.**

IT IS SO ORDERED.

Dated: February 27, 2023

/s/ Barbara A. McAuliffe  
UNITED STATES MAGISTRATE JUDGE